

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ADAM JAY STONE,

Plaintiff,

v.

C. PFEIFFER, et al.,

Defendants.

No. 1:21-cv-01461-ADA-SAB (PC)

ORDER DENYING PLAINTIFF'S MOTION
TO FILE A "SURREPLY" AS
UNNECESSARY

(ECF No. 111)

Plaintiff Adam Jay Stone is proceeding pro se in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff's motion to file a "sur-reply" to Defendants' opposition to Plaintiff's motion for sanctions, filed August 18, 2023.

Local Rule 230(l) provides, in pertinent part:

Opposition, if any, to the granting of the motion shall be served and filed by the responding party not more than twenty-one (21) days after the date of service of the motion. A responding party who has no opposition to the granting of the motion shall serve and file a statement to that effect, specifically designating the motion in question. Failure of the responding party to file an opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion and may result in the imposition of sanctions. The moving party may, not more than fourteen (14) days after the opposition has been filed in CM/ECF, serve and file a reply to the opposition. All such motions will be deemed submitted when the time to reply has expired.

1 Here, Plaintiff filed a motion for sanctions on July 25, 2023, and Defendants filed an
2 opposition on August 7, 2023. (ECF Nos. 107, 110.) Plaintiff's reply was due 14 days (plus 3
3 days for mailing) of the August 7, 2023, opposition. Plaintiff's filed his reply (inappropriately
4 labeled as a sur-reply) on August 14, 2023 (mailbox rule). Accordingly, Plaintiff's motion for
5 permission to file a "sur-reply" is denied as unnecessary, and Plaintiff's motion for sanctions is
6 submitted and a ruling will be issued in due course.

7
8 IT IS SO ORDERED.

9 Dated: August 21, 2023


UNITED STATES MAGISTRATE JUDGE